

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARISSA CARTER, EVELYN GRYS, BRUCE
CURRIER, SHARON KONING, SUE BEEHLER,
MARSHA MANCUSO, and JACLYN
CUTHBERTSON, as individuals and as representatives
of the classes,

Plaintiffs,

v.

Civil No. 6:14-CV-06275-FPG

CIOX HEALTH, LLC f/k/a HEALTHPORT
TECHNOLOGIES, LLC, THE ROCHESTER
GENERAL HOSPITAL, THE UNITY HOSPITAL OF
ROCHESTER, and F.F. THOMPSON HOSPITAL,
INC.,

Defendants.

NOTICE OF MOTION FOR A PROTECTIVE ORDER AND TO QUASH

Nature of Action:	New York Public Health Law § 18.
Moving Party:	Defendant CIOX Health, LLC.
Schedule:	To be set by the Court.
Place:	In the courtroom of the Honorable Marian W. Payson, United States Courthouse, 100 State Street, Rochester, New York 14614.
Supporting Papers:	Declaration of Jodyann Galvin, dated March 2, 2018, with attached Exhibits A through L; Declaration of Gregory Trerotola, dated March 2, 2018, with attached Exhibit A; Declaration of Lori Reel, dated February 22, 2018; Memorandum of Law in Support of Defendant CIOX Health LLC's Motion for a Protective Order and to Quash, dated March 2, 2018.
Answering Papers:	Absent an Order setting deadlines, pursuant to Local Rule 7(b)(2)(B), opposing papers must be served within fourteen (14) days after the service of this motion. Defendant CIOX

intends to file and serve a reply, which will be served within seven (7) days after service of opposing papers.

Relief Requested:

A protective order: (1) directing that plaintiffs take the deposition of CIOX expert Gregory Trerotola in the ordinary course of expert discovery after expert disclosure is made and in accordance with case deadlines — not during fact discovery; and (2) barring the deposition of Lori Reel, CIOX's Chief Accounting Officer.

Grounds for Relief:

Federal Rule of Civil Procedure 26(c), 45(d)(3).

Oral Argument:

Requested.

Date: March 2, 2018

HODGSON RUSS LLP

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